



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ellington, A.

FILED: February 2, 2001

SERIAL NO.: 09/776,252

FOR: Signaling Aptamers that Transduce
Molecular Recognition to Changes in
Fluorescence Intensity

§ ART UNIT:
§ 1634
§
§ EXAMINER:
§ Zitomer, S
§
§ DOCKET:
§ D6296

MS AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES AND
PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)**

Dear Sir:

Pursuant to 37 C.F.R. §1.136(a), Applicant hereby petitions that the period for response for the purpose of filing a Notice of Appeal, as governed by the Final Office Action mailed November 26, 2002, in the above-referenced patent application, be extended an additional month from April 26, 2003 to and including May 27, 2003. Please debit the \$260 extension fee (\$465 three month extension - \$205 two month extension that has already been paid) under 37 C.F.R. §1.17(a) or any other fees due from Deposit Acct. 07-1185.

Applicant hereby appeals to the Board of Patent Appeals and Interferences the decision dated November 26, 2002 from the Primary Examiner, rejecting claims 1, 2, 5-12, 15, 17-25, and 28.

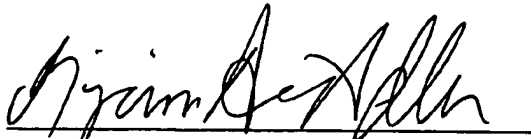
The Commissioner is hereby authorized to charge Deposit Account No. 07-1185 in the total amount of \$420 (\$260 extension fee + \$160 appeal fee) and any additional fee that may be required. Please credit any overpayment or debit any underpayment to Deposit Account 07-1185.

05/30/2003 AMONDAF1 00000158 071185 09776252

01 FC:2401 160.00 CH
02 FC:2253 260.00 CH

Date: May 27, 2003
ADLER & ASSOCIATES
8011 Candle Lane
Houston, Texas 77071
(713) 270-5391
BADLER1@houston.rr.com

Respectfully submitted,


Benjamin Aaron Adler, Ph.D., J.D.
Registration No. 35,423
Counsel for Applicant